



City of Seattle

Gregory J. Nickels, Mayor
Department of Planning and Development
D. M. Sugimura, Director

**CITY OF SEATTLE
ANALYSIS AND DECISION OF THE DIRECTOR
OF THE DEPARTMENT OF PLANNING AND DEVELOPMENT**

Application Number: 2305094
Applicant Name: Jon Tellefson
Address of Proposal: 1820 Franklin Avenue E

SUMMARY OF PROPOSED ACTION

Master Use Permit to subdivide one (1) parcel into four (4) unit lots of land. Proposed unit sizes are: A) 1073.4 sq. ft., B) 1091.7 sq. ft., C) 1106.2 sq. ft., and D) 1373.7 sq. ft.

DPD Project #2205980 with Permit #734957 to establish use and construct two 2-unit townhouses, described as three-story structures with basement and attached garage per plans was issued on May 7, 2003.

The following approval is required:

Short Subdivision – to subdivide one (1) existing parcel into four (4) unit lots.
(Chapter 23.24, Seattle Municipal Code)

SEPA DETERMINATION: ☒ Exempt ☐ DNS ☐ MDNS ☐ EIS

 ☐ DNS with conditions

 ☐ DNS involving non-exempt grading or demolition or
 involving another agency with jurisdiction.

BACKGROUND DATA

Site and Area Description

This trapezoidal shaped proposal site is approximately 4,651 square feet in area located in a Multifamily Residential Lowrise (L-3) zone at the east side of Franklin Avenue East, the second lot south of East Howe Street. The proposal site has 52.77 lineal feet of front lot line on Franklin Avenue E., 98.98 lineal feet of north side lot line, 76.94 lineal feet of south side lot line, and 57.16 lineal feet of east rear lot line. Franklin Avenue East is improved with paved roadway, concrete curbs/gutters, sidewalks and narrow planting strips on both sides. The proposal site slopes up towards the rear and the difference in grade elevation between the front lot line and the rear lot line is approximately 12.0 feet. Vehicle access to the unit lots is from Franklin Avenue East through a shared ten-foot (10') wide easement with the adjacent property to the south. Some existing vegetation are being saved and some are to be planted. Some vegetation at the rear of the site will remain undisturbed except for some necessary improvements to enhance the open spaces at the front and side setbacks.

Development in the Vicinity

Zoning in the immediate vicinity to the north and south of the site is Lowrise (L-3). The zone to the east is C1-40'. To the west and southwest beyond Franklin Avenue East is Commercial (C1-40'), then to the north beyond East Howe Street is Lowrise (L-2).

To the immediate east of the site is the I-5 Freeway right-of-way. The development of properties to the immediate south of the site are new townhouses proposed to be developed or are now under construction. To the west across Franklin Avenue East, the developments are commercial offices and residential apartments with some mixed use development. Farther to the northwest beyond East Howe Street are some existing triplexes and residential apartments.

Proposal Description

The applicant proposes to short subdivide one parcel of land into four unit lots. Proposed unit lot sizes are: Unit Lot A) 1073.4 sq. ft., Unit Lot B) 1091.7 sq. ft., Unit Lot C) 1106.2 sq. ft., and Unit Lot D) 1373.7 sq. ft..

Public Comments

Public notice was published on August 14, 2003 and the comment period ended on August 27, 2003. No comment letter was received.

ANALYSIS

Pursuant to SMC 23.24.040, no short subdivision shall be approved unless all the following facts and conditions are found to exist. The findings which follow are based upon the information provided by the applicant; review of access, drainage and zoning within the Department of Planning and Development (DPD), review from the Seattle Public Utilities, Seattle Fire Department, the Seattle City Light, and review by the Land Use Planner.

1. *Conformance to the applicable provisions and requirements of the Land Use Code;*

The existing parent lot subject to this subdivision conforms to all the development standards of the L-3 zone. The parent lot existing configuration provides adequate buildable area to the required density, lot coverage requirements, setbacks, height and other land use code development standards. The unit lots proposed by this subdivision conform to the standards for unit lot subdivision per (SMC 23.24.045) and the provisions applicable to unit lot subdivisions. Any new development must conform to the land use provisions and code requirements at the time of the application.

2. *Adequacy of access for vehicles, utilities and fire protection as provided in Section 23.53.005.*

Adequate access for vehicles, utilities, and fire protection will be provided for all the proposed Unit Lots through a ten-foot (10') wide common easement and driveway provided by all the Unit Lots and together with an easement granted by the adjacent lot to the south of the proposal site. A common easement for vehicle backing and maneuvering in and out of the individual garage is provided by all the Unit Lots. A five-foot (5') wide common easement for pedestrians and utilities is also provided along the north side lot line of Unit Lot A.

The Seattle Fire Department has reviewed and approved this proposal for adequacy of access for emergency vehicles.

The Seattle City Light has reviewed this short subdivision application and has indicated that an easement is required for electrical service to the proposed lots. The easement as described in the Seattle City Light memorandum dated September 23, 2003 and in "Exhibit A to City of Seattle Short Subdivision No. 2305094" will be included on the face of the plat.

3. *Adequacy of drainage, water supply, and sanitary sewage disposal;*

Storm water will be discharged into the combined sewer system in Franklin Avenue East. Plan review requirements were made at the time of building permit application and construction of the townhouse units under Permit #734957 which was issued on May 7, 2003. Storm water for the whole development will be discharged through a storm detention system, with controlled release to the public sewer (PS) in Franklin Avenue East.

Seattle Public Utilities reviewed the unit lot subdivision application and approved a Water Availability Certificate No. 2003-0896 on August 13, 2003. All conditions on the certificate must be met prior to receiving water service.

A combined sewer system is available in Franklin Avenue East. A side sewer permit will be required from DPD.

4. *Whether the public use and interests are served by permitting the proposal;*

The proposed unit lot subdivision is consistent with relevant L-3 zone requirements and meets the minimum provisions of the Seattle Land Use Code. The proposal meets all applicable criteria for approval of a short plat as discussed in the analysis and decision. The public use and interests are served by permitting the proposed division of land.

5. *Conformance to the applicability provisions of SMC Section 25.09.240, short subdivision and subdivisions in environmentally critical area;*

The site is not located in an environmentally critical area.

6. *Whether the proposal is designed to maximize the retention of existing trees;*

There are no existing trees on the site, but there are some vegetation and ground cover at the easterly portion of the site. A total of five new trees will be added and located on the designated open spaces of the units. New shrubs and ground covers are part of the landscape plans included in the building permit application and construction of the townhouse units. Any new development on the site is subject to the applicable provisions of SMC 23.45.015, Screening and Landscaping Requirements for Lowrise Zones.

7. *Conformance to the provisions of Section 23.24.045, Unit lot subdivisions, when the short subdivision is for the purpose of creating separate lots of record for the construction and/or transfer of title of townhouses, cottage housing, clustered housing, or single family housing.*

Section 23.24.045 of the Seattle Municipal Code provides that under certain circumstances some types of parcels may be created that do not individually meet the zoning requirements for lot size, setbacks, density and structure width and depth. These are called unit lot subdivisions and may be permitted as long as the development as a whole meet the development standards. However, as a result of this subdivision, development on the individual lots may be nonconforming. To assure that future owners have consecutive notice that the additional development may be limited due to non-conformities, the following statement shall be required to be included as a note on the final short subdivision: "The unit lots shown on this site are not separate buildable lots. Additional development on any individual unit lot in this subdivision may be limited as a result of applicable provisions of the Seattle Land Use Code, Chapter 23 of the Seattle Municipal Code."

DECISION

The proposed Short Subdivision is **CONDITIONALLY GRANTED**

CONDITIONS

Prior to Recording

The owner(s) and responsible party(s) shall:

1. Provide final recording forms and fees. Have the final recording documents prepared by or under the supervision of a Washington State licensed land surveyor. Each lot, parcels or tract created by the short subdivision shall be surveyed in the field and all property corners set in conformance with appropriate state statute. The property corners set shall be identified on the plat and the encroachments such as side yard easements, fences or structures shall be shown, as well as all structures and distances from them to the proposed property lines. All existing structures, principal and accessory, shall be shown on the face of the plat and their distances to the proposed lines dimensioned. A licensed surveyor shall stamp the short plat drawings.
2. Insert the following on the face of the plat: "The unit lots shown on this site are not separate buildable lots. Additional development on any individual lot in this subdivision may be limited as a result of the application of development standards to the parent lot pursuant to applicable provisions of the Seattle Land Use Code, Chapter 23 of the Seattle Municipal Code.
3. Provide easement as required by City Light for electrical service to the proposed lots per Seattle City Light memorandum P.M. #250420-3-012. Show this easement on the face of the plat.
4. Post an address sign to benefit all units at a location visible from Franklin Av E and provide an easement, a covenant, or any other legal agreements to ensure that the address signage is maintained.

Signature: (signature on file) Date: November 20, 2003
Edgardo R Manlangit, Land Use Planner
Department of Planning and Development
Land Use Division